

1 AN ACT relating to hospitals.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Hospital Licensing Act is amended by
5 adding Section 6.19 as follows:

6 (210 ILCS 5/6.19 new)

7 Sec. 6.19. Use of restraints. Each hospital licensed
8 under this Act must have a written policy to address the use
9 of restraints and seclusion in the hospital. The Department
10 shall establish, by rule, the provisions that the policy must
11 include, which, to the extent practicable, should be
12 consistent with the requirements of the federal Medicare
13 program.

14 Restraints or seclusion may only be employed upon the
15 written order of:

16 (1) a physician licensed to practice medicine in
17 all its branches;

18 (2) a physician assistant as authorized under the
19 Physician Assistant Practice Act of 1987 or an advance
20 practice nurse as authorized under the Nursing and
21 Advanced Practice Nursing Act; or

22 (3) a registered nurse, provided that the medical
23 staff of the hospital has adopted a policy authorizing
24 such practice and specifying the requirements that a
25 registered nurse must satisfy to order the use of
26 restraints or seclusion.

27 In an emergency, other appropriate individuals, as
28 designated in the hospital policy, may order restraint or
29 seclusion.

30 Section 10. The Nursing and Advanced Practice Nursing

1 Act is amended by changing Section 5-10 as follows:

2 (225 ILCS 65/5-10)

3 Sec. 5-10. Definitions. Each of the following terms,
4 when used in this Act, shall have the meaning ascribed to it
5 in this Section, except where the context clearly indicates
6 otherwise:

7 (a) "Department" means the Department of Professional
8 Regulation.

9 (b) "Director" means the Director of Professional
10 Regulation.

11 (c) "Board" means the Board of Nursing appointed by the
12 Director.

13 (d) "Academic year" means the customary annual schedule
14 of courses at a college, university, or approved school,
15 customarily regarded as the school year as distinguished from
16 the calendar year.

17 (e) "Approved program of professional nursing education"
18 and "approved program of practical nursing education" are
19 programs of professional or practical nursing, respectively,
20 approved by the Department under the provisions of this Act.

21 (f) "Nursing Act Coordinator" means a registered
22 professional nurse appointed by the Director to carry out the
23 administrative policies of the Department.

24 (g) "Assistant Nursing Act Coordinator" means a
25 registered professional nurse appointed by the Director to
26 assist in carrying out the administrative policies of the
27 Department.

28 (h) "Registered" is the equivalent of "licensed".

29 (i) "Practical nurse" or "licensed practical nurse"
30 means a person who is licensed as a practical nurse under
31 this Act and practices practical nursing as defined in
32 paragraph (j) of this Section. Only a practical nurse
33 licensed under this Act is entitled to use the title

1 "licensed practical nurse" and the abbreviation "L.P.N."

2 (j) "Practical nursing" means the performance of nursing
3 acts requiring the basic nursing knowledge, judgement, and
4 skill acquired by means of completion of an approved
5 practical nursing education program. Practical nursing
6 includes assisting in the nursing process as delegated by and
7 under the direction of a registered professional nurse. The
8 practical nurse may work under the direction of a licensed
9 physician, dentist, podiatrist, or other health care
10 professional determined by the Department.

11 (k) "Registered Nurse" or "Registered Professional
12 Nurse" means a person who is licensed as a professional nurse
13 under this Act and practices nursing as defined in paragraph
14 (l) of this Section. Only a registered nurse licensed under
15 this Act is entitled to use the titles "registered nurse" and
16 "registered professional nurse" and the abbreviation, "R.N."

17 (l) "Registered professional nursing practice" includes
18 all nursing specialities and means the performance of any
19 nursing act based upon professional knowledge, judgment, and
20 skills acquired by means of completion of an approved
21 registered professional nursing education program. A
22 registered professional nurse provides nursing care
23 emphasizing the importance of the whole and the
24 interdependence of its parts through the nursing process to
25 individuals, groups, families, or communities, that includes
26 but is not limited to: (1) the assessment of healthcare
27 needs, nursing diagnosis, planning, implementation, and
28 nursing evaluation; (2) the promotion, maintenance, and
29 restoration of health; (3) counseling, patient education,
30 health education, and patient advocacy; (4) the
31 administration of medications and treatments as prescribed by
32 a physician licensed to practice medicine in all of its
33 branches, a licensed dentist, a licensed podiatrist, or a
34 licensed optometrist or as prescribed by a physician

1 assistant in accordance with written guidelines required
2 under the Physician Assistant Practice Act of 1987 or by an
3 advanced practice nurse in accordance with a written
4 collaborative agreement required under the Nursing and
5 Advanced Practice Nursing Act; (5) the coordination and
6 management of the nursing plan of care; (6) the delegation to
7 and supervision of individuals who assist the registered
8 professional nurse implementing the plan of care; and (7)
9 teaching and supervision of nursing students; and (8) the
10 ordering of restraint or seclusion as authorized under the
11 Hospital Licensing Act. The foregoing shall not be deemed to
12 include those acts of medical diagnosis or prescription of
13 therapeutic or corrective measures that are properly
14 performed only by physicians licensed in the State of
15 Illinois.

16 (m) "Current nursing practice update course" means a
17 planned nursing education curriculum approved by the
18 Department consisting of activities that have educational
19 objectives, instructional methods, content or subject matter,
20 clinical practice, and evaluation methods, related to basic
21 review and updating content and specifically planned for
22 those nurses previously licensed in the United States or its
23 territories and preparing for reentry into nursing practice.

24 (n) "Professional assistance program for nurses" means a
25 professional assistance program that meets criteria
26 established by the Board of Nursing and approved by the
27 Director, which provides a non-disciplinary treatment
28 approach for nurses licensed under this Act whose ability to
29 practice is compromised by alcohol or chemical substance
30 addiction.

31 (Source: P.A. 90-61, eff. 12-30-97; 90-248, eff. 1-1-98;
32 90-655, eff. 7-30-98; 90-742, eff. 8-13-98.)

33 Section 99. Effective date. This Act takes effect upon

1 becoming law.